

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

GENNARO ROCCO AND LORETTA
SCHWEINSBURG, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

KRAFT HEINZ FOODS COMPANY,

Defendant.

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)
)
) Case No.: 1:20-cv-04578
)
) Honorable Elaine E. Bucklo
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)
)

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that “the plaintiff may dismiss an action without a court order by filing ... a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Accordingly, Plaintiffs Gennaro Rocco and Loretta Schweinsburg hereby dismiss, without prejudice, all claims against Defendant. Each party shall bear its own costs.

Dated: January 11, 2021

Respectfully submitted,

/s/ Carl V. Malmstrom

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed on this 11th day of January, 2021, via the electronic filing system of the Northern District of Illinois, which will automatically serve all counsel of record.

/s/ Carl V. Malmstrom
Carl V. Malmstrom